

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

NEW YORK IMMIGRATION  
COALITION, et al.,

Consolidated Plaintiffs

v.

UNITED STATES DEPARTMENT OF  
COMMERCE, et al.,

Defendants.

Civil Action No. 1:18-cv-2921-JMF

**DECLARATION OF GEORGE ESCOBAR**

I, George Escobar, pursuant to the provisions of 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing is true and correct:

1. I am the Chief of Programs and Services at CASA ("CASA"). In this capacity, I oversee CASA's services departments, including legal services, health services, workforce development, employment, education, and our immigrant integration programs.
2. Based on my nearly 20 years of professional experience working for Latino and immigrant serving organizations in both the public and private sectors, the current outreach to immigrant communities I oversee in my current capacity at CASA, and my conversations with individual CASA members, I believe the addition of a citizenship question to the 2020 Decennial Census short-form questionnaire will deter participation of many individuals in the Latino and immigrant communities and result in a disproportionate undercount of Latinos. As a result of the decision to add this question,

CASA has diverted and will continue to be required to divert resources from core organizational priorities to additional, remedial outreach to counteract the citizenship question's negative effect on Census response rates in our community.

3. This undercount will also injure many CASA members, many of whom live in areas of the United States in which immigrants of color and other communities of color exceed national and state averages. Specifically, they will be harmed because the disproportionate undercount that will result from the citizenship question among immigrants of color will diminish their political power relative to other parts of their states. In addition, this undercount will diminish the amount of Census-related funding those areas receive for key programs, services, and facilities that our members and their families rely on to succeed in the communities in which they live.

**I. CASA's Mission and Activities**

4. CASA is a non-profit 501(c)(3) membership organization headquartered in Langley Park, Maryland, with offices in Maryland, Virginia, and Pennsylvania. Founded in 1985, CASA is the largest membership-based immigrants' rights organization in the mid-Atlantic region, with more than 90,000 members.
5. CASA's mission is to create a more just society by increasing the power of and improving the quality of life of low-income immigrant communities. To advance this mission, CASA offers social, health, education, job training, employment, and legal services to immigrant communities. CASA serves nearly 20,000 people a year through its offices and provides support to additional clients over the phone and through email.
6. As Chief of Programs and Services, my fundamental role in the organization is to align its programming with its mission and ensure our interventions and programs are effective

in addressing disparities impacting immigrant communities while setting our members and their families on a path to success.

## **II. CASA's Census-Related Work**

7. CASA has an ongoing commitment to promoting engagement in the Decennial Census among its members, constituents, and communities. Member participation in the Decennial Census advances CASA's mission by increasing the political power of low-income immigrant communities and improving quality of life for those communities through increased population-driven government funding.
8. Given CASA's 30 year history working with immigrant communities throughout the Mid-Atlantic region and the trust it has developed with these communities as a result of this history, CASA has consistently been a "go-to" organizational partner in conducting outreach and education around the Decennial Census and other related activities.
9. In 2010, CASA partnered with various local government education and outreach campaigns throughout Maryland. In addition, CASA received dedicated funding from other sources to conduct door-to-door outreach, facilitate group educational sessions, and work with local, ethnic media to inform, engage, and encourage participation in the Census among Limited English Proficient, immigrant communities in the region.

## **III. CASA's Work Connecting Members with Government Services**

10. CASA provides a number of services screening, navigating and enrolling its members for public benefits for which they are eligible. This work includes connecting members with public benefits related to health, education, and legal services.
11. Through its Health and Social Service Program, CASA case managers assess its members needs and screen for eligibility for several public benefit programs. CASA assists eligible members in enrolling in food assistance programs such as the Supplemental

Nutritional Assistance Program (SNAP), which provides food assistance to low-income individuals, and the Special Supplemental Nutrition Program for Women Infants and Children (WIC), which provides supplemental foods, health care referrals, and nutrition education to eligible individuals.

12. CASA also assists eligible members in enrolling for health care coverage through Medicaid, or enrolling their children in the Children's Health Insurance Program.
13. CASA's Education Department works with families residing in dense immigrant neighborhoods to navigate them through the school enrollment process in Title 1 funded public schools serving these neighborhoods. Staff also provide information about early childhood education programs available in the neighborhoods served by CASA and partner with local providers to enroll eligible children in those programs.
14. In addition, CASA's Legal Program provides individualized legal counseling to individuals claiming employment discrimination, wage theft, and other issues that may lead to job loss. For those who have suffered from job loss, CASA provides assistance in navigating the unemployment insurance application process for those who are eligible.

#### **IV. Harm to CASA as a Result of the Citizenship Question**

15. As described below, the addition of a citizenship question to the Decennial Census harms CASA members, as well as the organization itself. The increased fear among immigrants, caused by the Trump Administration's anti-immigrant policies and rhetoric, has led to decreased engagement with the government generally, and specific fear of participating in the Decennial Census. This fear and decreased participation harms CASA as an organization, because we are now diverting our limited resources in an effort to encourage participation in the Decennial Census.

##### **A. Fear in the Latino Immigrant Community under the Current Administration**

16. Based on my conversations and work in the community, immigrant members of CASA have felt targeted, bullied and attacked by the rhetoric and actions of the Trump Administration. Starting with the presidential campaign, through to its current policies, CASA members have expressed fear, frustration and despair over how they feel this administration has scapegoated them. In particular, they have expressed fear over the emphasis this administration has placed on increased deportations and immigration enforcement.
17. In particular, policies such as family separation at the border, the “zero-tolerance policy” for immigrants entering the United States without documentation, and the elimination of the Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS) programs have all increased the fear among immigrant communities of being targeted by agencies such as Immigration and Customs Enforcement (ICE). This fear has led to a chilling effect on the willingness of immigrant communities of all types, regardless of immigration status, to interact with the federal government in any way.
18. The recent announcement of changes to the definition of who constitutes a “Public Charge” for immigration purposes has only inflamed the current situation. Collectively, these policies have led to widespread confusion and fear, to the point that many individuals are hesitant to apply for a public benefit for which they are eligible to receive.
19. CASA and its partner providers have begun to track a decrease in the number of individuals applying for certain public benefits. Most troubling has been a decrease in the number of enrollments into benefits completely unrelated to the policies that have been announced, such as a decrease in the number of immigrants applying for health insurance made available through the Affordable Care Act or a decrease in the number of

Legal Permanent Residents applying for citizenship. To those of us at CASA, this decreased participation indicates that the Trump Administration's policies are not only affecting those individuals and communities who are directly targeted by these policies, but are increasing fear among the immigrant community more broadly.

**B. CASA Members are Less Willing to Engage with the Decennial Census due to Increased Fear**

20. Under the current environment, CASA members have expressed fear of even a knock on their door by a stranger given the high number of arbitrary immigration enforcement actions that have resulted in the deportation of immigrants with little or no criminal background in the communities CASA serves. This fear of even speaking to someone approaching their door will certainly be compounded by a request by a government official, such as a census enumerator, regarding an individual's citizenship status, or the citizenship status of others in their household.
21. Many CASA members have expressed doubts and fears to me about how information within the government is shared, and whether an answer to a question on a particular document or application may lead to their family being harmed or separated. Under these circumstances, many have expressed a feeling that participation in the Census presents too high a risk to the safety and security of themselves and their families to justify participating.
22. The fear of participating in the Census has been shared with multiple CASA staff and volunteers who routinely conduct field outreach in the community, such as CASA Health Promoters and Community Organizers. Shortly after information about the addition of the citizenship question became public and was reported on by Spanish language media, these outreach workers reported that the reaction of fear in the community was

widespread. Many CASA staff members and volunteers reported an increase in general suspicion and fear among community members in completing any type of application or document associated with any government entity.

23. Recently, a CASA Health Promoter shared an interaction with me that she had with a CASA member who told her a story about a family member that he believed was placed in deportation proceedings shortly after applying for a Driver's License. "If those two things are linked," the member reportedly said, "then why on earth would I answer a question about immigration status on a form from the federal government? It's not worth the risk." That reaction is typical of what we have experienced in the community.
24. Through this litigation, I have learned that block-level data can identify the characteristics of a population within a very small geographic area. By identifying the citizenship status of individuals in such a small area, I am concerned that this could lead to immigration enforcement targeting these particular areas and communities, thus harming the privacy of CASA members. I believe this concern is particular will discourage CASA members from participating in the Decennial Census.

**C. CASA is Diverting Resources to Encourage Participation in the Decennial Census**

25. CASA recognizes the importance of the Decennial Census for its members and the broader Latino immigrant community. Participation in the Census is necessary to preserve the political power of these communities, and to ensure that these communities receive the vital federal resources that so many of our members rely upon. In order to combat the increased fear in the Latino immigrant community, and the unwillingness of many CASA members to participate in the Decennial Census, CASA is currently planning a massive response to try and overcome the many barriers to participation.

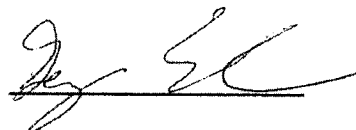
26. In order to combat these barriers, CASA will have to reorganize its communication team and reassign staff to Census outreach and education to a level not previously anticipated. Given significant funding for this work is not anticipated, much of the work will have to be funded through other sources, perhaps including CASA reserves and leveraged with volunteers.
27. Our work in response to the addition of the citizenship question on the Decennial Census has already begun. CASA's Community Organizing team has already conducted several "house" meetings on this topic to combat the fear and suspicion that has already been expressed about the addition to the citizenship question. These meetings have been held in many of the neighborhoods regularly canvassed by the community organizing team and have been focused on the importance of participating in the census.
28. Education about the census is also being imbedded within the "Get Out The Vote" canvassing work being done by CASA during the 2018 election season. CASA canvassers are provided talking points and some literature about the Census to share with voters as they conduct outreach in their work encouraging voters to cast their ballots.
29. The increased focus on Census outreach and education will necessarily divert CASA's limited resources, resulting in less resources being allocated to other vital CASA programs.



30. I declare under penalty of perjury that the foregoing is true and correct.

Executed: October 26, 2018

Washington, DC

  
George Escobar